

CHAPTER 13

SECTION 3.7

SURGERY

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Authority: [32 CFR 199.4\(c\)\(2\)\(i\)](#), [\(c\)\(2\)\(ii\)](#), [\(c\)\(3\)\(i\)](#), [\(c\)\(3\)\(iii\)](#), and [\(c\)\(3\)\(iv\)](#)

I. APPLICABILITY

Paragraphs [III.A.](#) through [paragraph III.G.](#) under Policy below apply to reimbursement of services provided by network and non-network providers. Paragraphs [III.H.](#) and [paragraph III.I.](#) under Policy below apply only to non-network providers.

II. ISSUE

How is surgery to be reimbursed?

III. POLICY

A. Multiple Surgery.

1. When multiple surgical procedures are performed during the same operative session, benefits shall be limited to the lesser of the total billed charge or the sum of 100 percent of the prevailing charge for the major surgical procedure and 50 percent of the prevailing charge for the other procedures. The major procedure is that procedure for which the prevailing charge is greatest.

2. Exceptions to the above policy are:

a. If the multiple surgical procedures involve the fingers or toes, benefits for the third and subsequent procedures are to be limited to 25 percent of the prevailing charge.

b. Incidental procedures.

No reimbursement is to be made for an incidental procedure.

3. Data which is distorted because of these multiple surgery procedures (e.g., where the sum of the charges is applied to the single major procedure) must not be entered into the data base used to develop allowable charge profiles.

B. Multiple Primary Surgeons. When more than one surgeon acts as a primary surgeon for multiple procedures during the same operative session, the services of each may be covered.

C. Assistant Surgeons. See [Chapter 13, Section 3.7A](#).

D. Pre-operative care. Pre-operative care rendered in a hospital when the admission is expressly for the surgery is normally included in the global surgery charge. The admitting history and physical is included in the global package. This also applies to routine examinations in the surgeon's office where such examination is performed to assess the beneficiary's suitability for the subsequent surgery.

E. Post-operative care. All services provided by the surgeon for post-operative complications (e.g., replacing stitches, servicing infected wounds) are included in the global package if they do not require additional trips to the operating room. All visits with the primary surgeon during the 90-day period following major surgery are included in the global package.

NOTE: This rule does not apply if the visit is for a problem unrelated to the diagnosis for which the surgery was performed or is for an added course of treatment other than the normal recovery from surgery. For example, if after surgery for cancer, the physician who performed the surgery subsequently administers chemotherapy services, these services are not part of the global surgery package.

F. Re-operations for complications. All medically necessary return trips to the operating room, for any reason and without regard to fault, are covered.

G. Global surgery for major surgical procedures. Physicians who perform the entire global package which includes the surgery and the pre- and post-operative care should bill for their services with the appropriate CPT code only. Do not bill separately for visits or other services included in this global package. The global period for a major surgery includes the day of surgery. The pre-operative period is the first day immediately before the day of surgery. The post-operative period is the 90 days immediately following the day of surgery. If the patient is returned to surgery for complications on another day, the post-operative period is 90 days immediately after the last operation.

H. Second opinion.

1. Claims for patient-initiated, second-physician opinions pertaining to the medical need for surgery may be paid. Payment may be made for the history and examination of the patient as well as any other covered diagnostic services required in order for the physician to properly evaluate the patient's condition and render a professional opinion on the medical need for surgery.

2. In the event that the recommendations of the first and second physician differ regarding the medical need for such surgery, a claim for a patient-initiated opinion from a third physician is also reimbursable. Such claims are payable even though the beneficiary has the surgery performed against the recommendation of the second (or third) physician.

I. In-office surgery. Charges for a surgical suite in an individual professional provider's office, including charges for services rendered by other than the individual professional

provider performing the surgery and items directly related to the use of the surgical suite, may not be cost-shared unless the suite is an approved ambulatory surgery center.

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